

Department of General Services



Bills Tracked 1998 Legislative Year

**DGS Office of Legislation
November 1998**

FORWARD

The following report summarizes the major legislation which affected the Department of General Services (DGS) in 1998.

The Office of Legislation within DGS monitored and reviewed over 5713 measures providing full analyses on over 501 bills. The following is a summary of the bills with particular significance to the department that reached the Governor's desk.

We were extremely successful this year in representing the department's positions and interest to other state agencies, the Legislature, and the Governor. As you will see from the report, we addressed a wide range of topics, from relatively simple, one-issue subjects to very complex efforts to reform governmental processes.

We anticipate that the 1999-2000 Legislative Session will be equally challenging. If you have questions regarding this summary or would like additional information, please contact Carol Ferreira at (916) 445-3946 or through the Internet at cferreira@dgs.ca.gov.

KAREN L. NEUWALD, Assistant Director-Legislation
Department of General Services

TABLE OF CONTENTS

LEGISLATIVE SUMMARY OF BILLS ENACTED IN 1998.....	8
AB 191 (NAPOLITANO)	
AB 425 (BALDWIN)	
AB 535 (BROWN)	
AB 645 (ESCUTIA)	
AB 835 (WRIGHT)	
AB 1092 (GOLDSMITH)	
AB 1396 (ALQUIST)	
AB 1569 (ASSEMBLY LABOR AND EMPLOYMENT COMMITTEE)	
AB 1803 (LEMPERT)	
AB 1838 (KUYKENDALL)	
AB 1859 (ACKERMAN)	
AB 1897 (ALQUIST)	
AB 1916 (TORLAKSON)	
AB 1995 (LEACH)	
AB 2042 (GOLDSMITH)	
AB 2067 (CUNNEEN)	
AB 2084 (MILLER)	
SCHOOL FACILITIES.....	9
BUILDING STANDARDS: FIELD ACT.....	9
VICTIMS OF CRIME.....	10
VICTIMS OF CRIME.....	11
STATE CONTRACTS.....	12
SUBCONTRACTING.....	12
STATE CONTRACTS: CHILD SUPPORT	13
PUBLIC WORKS CONTRACTING.....	14
VICTIMS OF CRIME:RESTITUTION	15
POW AND MIA FLAGS.....	15
PUBLIC WORKS: INSURANCE.....	15
VANDALISM	15
DRIVING OFFENSES	16
LIVERMORE VALLEY SCHOOL DISTRICT	16
PUBLIC WORKS: STOP NOTICES.....	16
STATE AGENCY PROCUREMENT	17
PUBLIC WORKS CONTRACTS.....	17

TABLE OF CONTENTS

AB 2319	(KNOX)	VICTIMS OF CRIME	19
AB 2329	FIRESTONE	COMMUNITY COLLEGES: CONTRACTS	19
AB 2394	(MARGETT)	PROPERTY ACQUISITION CONTRACTS.....	20
AB 2405	(LEACH)	SMALL BUSINESS CONTRACTS	20
AB 2459	(CAMPBELL)	LEASES AND ACQUISITIONS	20
AB 2505	(OLBERG)	STATE CONTRACTS.....	21
AB 2627	(BROWN)	WORKS OF IMPROVEMENT.....	21
AB 2696	(CARDOZA)	SCHOOL FACILITIES: PORTABLES.....	21
AB 2756	(ASSEMBLY AGRICULTURE COMMITTEE)	PURCHASING DELEGATION.....	22
AB 2771	(ASSEMBLY CONSUMER PROTECTION COMMITTEE)	BOARD OF CONTROL: AUTHORITY.....	22
AB 2775	(ASSEMBLY BUDGET COMMITTEE)	CLAIMS BILL	22
AB 2776	(ASSEMBLY BUDGET COMMITTEE)	CLAIMS BILL	22
AB 2785	(RICHTER)	FISH AND GAME: CLAIMS	22
SB 10	(JOHNSTON)	SCHOOL FACILITIES: REPAYMENT.....	23
SB 50	(GREENE)	LEROY F. GREENE ACT OF 1998.....	24
SB 143	(KOPP)	RECORDS	25
SB 491	(BRULTE)	STATE PROPERTY: CORRECTIONS	25
SB 776	(JOHANNESSEN)	DESIGN BUILD.....	26
SB 831	(KARNETTE)	STATE FACILITIES: CHILD CARE.....	26
SB 1173	(VASCONCELLOS)	LIABILITY: Y-2000	26
SB 1311	(LOCKYER)	RESTITUTION FUND: LOAN.....	26

TABLE OF CONTENTS

SB 1466	(POLANCO)	CONSTRUCTION: SCHOOL DISTRICTS	27
SB 1517	(SENATE APPROPRIATIONS COMMITTEE)	CLAIMS BILL	27
SB 1518	(SENATE APPROPRIATIONS COMMITTEE)	JUDGEMENTS AND SETTLEMENTS	28
SB 1589	(SENATE BUDGET AND FISCAL REVIEW COMMITTEE)	GOVERNMENT ADMINISTRATION	28
SB 1608	(AYALA)	RESTITUTION ORDERS	29
SB 1641	(BURTON)	CANDLESTICK PARK	29
SB 1645	(MOUNTJOY)	SURPLUS STATE PROPERTY	30
SB 1649	(SENATE LOCAL GOVERNMENT COMMITTEE)	LOCAL GOVERNMENT OMNIBUS ACT	31
SB 1768	(KOPP)	CRIMINAL RESTITUTION	32
SB 1934	(JOHNSTON)	STATE LEASES	32
SB 2021	(SCHIFF)	RESTITUTION	33
SB 2045	(GREENE)	SCHOOL FACILITIES CONSTRUCTION	34
SB 2186	(KNIGHT)	VETERANS HOMES: LEASES	34
SB 2202	(HAYNES)	VICTIMS OF CRIME	34
LEGISLATIVE SUMMARY OF BILLS VETOED IN 1998			35
AB 750	(BREWER)	PUBLIC WORKS CONTRACTS	36
AB 1070	(CAMPBELL)	DESIGN PROFESSIONALS	36
AB 1136	(WILDMAN)	PUBLIC WORKS: DESIGN BUILD	36
AB 1155	(KUEHL)	ESTATE TAXES	37
AB 1345	(ALQUIST)	VENDOR COMPLIANCE: Y-2000	37
AB 1630	(SWEENEY)	CHILD SUPPORT	37

TABLE OF CONTENTS

AB 1992	(STROM-MARTIN)
AB 2280	(PAPAN)
AB 2432	(BOWEN)
AB 2534	(MARGETT)
AB 2564	(WILDMAN)
AB 2636	(ALQUIST)
AB 2643	(LEMPERT)
AB 2739	(MAZZONI)
SB 412	(PEACE)
SB 648	(BURTON)
SB 988	(SHER)
SB 1735	(POLANCO)
SB 1751	(CALDERON)

SCHOOL FACILITIES	38
WORKS OF IMPROVEMENTS	38
STATE BUILDINGS AND SCHOOLS	39
RETENTION PROCEEDS	39
SALE OF SURPLUS LAND	39
SCHOOL FACILITIES CONSTRUCTION.....	39
SCHOOL FACILITIES	40
CONTRACTS: RESPONSIBLE BIDDER	40
CONTRACTS: CONFLICT OF INTEREST.....	40
PERSONAL SERVICE CONTRACTS	40
SOLID WASTE MANAGEMENT	40
CIVIL RIGHTS: OUTREACH.....	41
SCHOOL FACILITIES	41

OFFICE ACRONYMS USED IN THE 1998 LEGISLATIVE SUMMARY

BC	BOARD OF CONTROL
DSA	DIVISION OF THE STATE ARCHITECT
DSA/ORS	STATE ARCHITECT DIVISION/OFFICE OF REGULATION SERVICES
IT	INFORMATION TECHNOLOGY ISSUES
OAH	OFFICE OF ADMINISTRATIVE HEARINGS
OEA	OFFICE OF ENERGY ASSESSMENTS
OHR	OFFICE OF HUMAN RESOURCES
OLS	OFFICE OF LEGAL SERVICES
OPSC	OFFICE OF PUBLIC SCHOOL CONSTRUCTION
ORIM	OFFICE OF RISK AND INSURANCE MANAGEMENT
OSBCR	OFFICE OF SMALL BUSINESS CERTIFICATION AND RESOURCES
PD	PROCUREMENT DIVISION
RES/PS	REAL ESTATE SERVICES DIVISION/PROFESSIONAL SERVICES
RES/BPM	REAL ESTATE SERVICES DIVISION/BUILDING AND PROPERTY MANAGEMENT
RES/APE	REAL ESTATE SERVICES DIVISION/ASSET PLANNING AND ENHANCEMENT
RES/PM	REAL ESTATE SERVICES DIVISION/PROJECT MANAGEMENT
TB	TRAILER BUDGET BILL
TD	TELECOMMUNICATIONS DIVISION

LEGISLATIVE SUMMARY OF BILLS ENACTED IN 1998

**UNLESS OTHERWISE INDICATED, THESE STATUTES
WILL BE EFFECTIVE JANUARY 1, 1999**

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 191	(Napolitano)	OPSC	<ul style="list-style-type: none"> • Authorizes a school district to file a priority one application (50 percent local match) with the State Allocation Board (SAB) for the construction of a gymnasium or multi-purpose room on a site where it constructed or otherwise acquired school facilities with 100 percent local funding. • Provides that the SAB shall grant the school district a credit against its matching share requirement of up to 50 percent of the costs of the project or the total funds expended by the school district on any school facilities funded at 100 percent local funds within the immediately preceding 24 month period, whichever is less. • Defines "100 percent local funding" for the purpose of the projects authorized under this bill as construction or acquisition of a school with 40 percent from the General Fund and the remainder from the sale of surplus school property. 	941	Adds: Education Code Section 17018.7
AB 425	(Baldwin)	DSA/ORS	Allows community college districts: (1) to purchase offsite buildings for use as community colleges, if the building was constructed prior to January 1, 1998, and meets the structural requirements of the 1976 Uniform Building Code; or (2) to lease a building constructed after January 1, 1990, if the buildings are determined to be in substantial compliance with the Field Act.	610	Adds: Education Code Sections 81149 and 81530.5

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 535	(Brown)	BC	<ul style="list-style-type: none"> • Adds new primary caretakers to the list of derivative victims eligible for mental health counseling for the treatment of a minor victim. • Requires the State Board of Control (Board) to consider claims based on domestic violence using the criteria established by the Board. • Requires the Board not to deny a derivative victim's claim because of the direct victim's or other applicant's involvement in the crime. • Limits reimbursement for new primary caretakers mental health counseling to \$3,000. • Allows late filing of applications beyond the current three year time limit under specific circumstances. <p>This bill would be operative only until January 1, 2003, unless a later enacted statute deletes or extends that date. (Urgency Statute---effective September 22, 1998.)</p>	697	<p>Amends, Repeals and Adds: Government Code Sections 13960, 13964, and 13965</p> <p>Adds and Repeals: Government Code Section 13961.01</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 645	(Escutia)	BC	<ul style="list-style-type: none"> • Adds victims of statutory rape [Penal Code Section 261.5(d)], an act of sexual intercourse where the victim is under the age of 16 years by an adult who is at least 21 years old, to the list of crimes eligible for Victims of Crime (VOC) Program benefits where physical injury is presumed if felony charges are filed against the perpetrator. (If an application meets other program requirements, the victim may receive up to \$3,000 reimbursement for mental health counseling only.) • Adds vehicular manslaughter [Penal Code Section 192(c)] to the list of crimes eligible for VOC Program benefits; • Adds residents of other states to the list of derivative victims eligible for VOC Program benefits. • Extends wage/support losses to a victim or derivative victim to up to three years after the date of the crime (current limit is two years). • Adds the provision that when the Board looks at the involvement or cooperation of a victim of Section 261.5(d), that the Board shall consider the age, physical condition and psychological state, and any compelling health or safety reasons of a minor when determining the minor's application for assistance. <p>If enacted, this bill would be operative only until January 1, 2003, unless a later enacted statute deletes or extends that date.</p>	895	Amends, Repeals, and Adds: Government Code Sections 13960, 13964, and 13965

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 835	(Wright)	PD	<ul style="list-style-type: none"> Allows state agencies to use an informal competitive bidding process for procurements up to \$50,000 if the award of the contract is made to a small business. Requires state agencies to include the existing small business preference in all solicitations for information technology. Requires the Department of General Services (DGS) to report to the Legislature on the number of small businesses certified for the small business preference, and the number of contracts awarded to small businesses, by categories based on the number of employees employed by the small business. Increases the threshold for state agency small dollar purchases from \$100 to \$2,500. Provides bidders the opportunity to protest the award of formal information technology procurements (but not lower value informal procurements). Makes non-substantive technical and clarifying changes to the Enterprise Zone Act and Target Area Contract Preference Act (TACPA). 	1030	<p>Amends: Government Code Sections 4533, 4533.1, 4534.1, 4535.2, 7084, and 14840 ; Public Contract Code Section 12102</p> <p>Adds: Government Code Section 14838.5</p>
AB 1092	(Goldsmith)	DSA/ORS and RESD/PM	<p>Allows, at a public agency's option, to only require a listed subcontractor's name and location of business at the bid deadline, with other information being provided up to 24 hours after the deadline.</p> <p>Additionally, the measure would require when a contracting agency makes a material change to a bid invitation that the deadline for submission of bids be extended by no less than 72 hours.</p>	1010	<p>Amends: Public Contract Code Section 4104</p> <p>Adds: Public Contract Code Section 4104.5</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 1396	(Alquist)	PD	Requires every written state contract in excess of \$100,000 to contain: 1) an acknowledgment by the contractor of the policy of the state relative to child support payments, as specified; and 2) an acknowledgment by the contractor that it is in compliance with all earnings assignment orders and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.	899	Adds: Public Contract Code Section 7110

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 1569 (Assembly Labor and Employment Committee)		DSA/ORS and RES/PM	<ul style="list-style-type: none"> Provides that the Labor Commissioner may deny a contractor or subcontractor the ability to perform work as a subcontractor on a public works project if he/she is found to be in violation of the prevailing wage statutes (Labor Code 1770 et seq.). (Currently, the Labor Commissioner may deny a contractor or subcontractor the ability to bid on or be awarded a public works project contract.) Requires the Labor Commissioner to publish and distribute to awarding bodies a list of contractors who are ineligible to bid on, be awarded a contract, or perform work on a public works project as a subcontractor. The list would contain the name of the contractor, the Contractor's State License Board license number, and the effective period of the debarment of the contractor. Stipulates in the Public Contract Code that a public entity (state, county, city, city county, etc.) may not permit a contractor or subcontractor who is ineligible to work on, be awarded a contract, or perform work as a subcontractor on a public works project, and requires every public works project to contain a provision prohibiting a contractor from performing work on a public works project with a subcontractor who is ineligible to perform work pursuant to provisions of the Labor Code relative to prevailing wages. Provides that: (a) any public works project contract entered into between a contractor and debarred subcontractor is void; (b) a debarred subcontractor may not receive any public money for performing work as a subcontractor on a public works project; (c) any money already paid to a debarred subcontractor would have to be repaid; and (d) the 	443	Amends: Labor Code Section 1777.1 ; Public Contract Code Section 4107 Adds: Public Contract Code Section 6109

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 1803	(Lempert)	BC	This DGS-sponsored bill adds child abduction and detention or concealment of a child to the list of crimes covered by the Victims of Crime (VOC) Program and clarifies that a child who witnesses a crime of domestic violence is presumed to have sustained a physical injury. If enacted, this bill would be operative only until January 1, 2003, unless a later enacted statute deletes or extends that date.	700	Amends, Repeals and Adds: Government Code Section 13960
AB 1838	(Kuykendall)	RESB/BPM	Prescribes dates when the POW/MIA flag shall be flown over specified public buildings.	569	Amends: Military and Veterans Code Section 1831
AB 1859	(Ackerman)	ORIM	Under existing law, an Owner Controlled Insurance Program (OCIP), also known as a wrap-up in the insurance and construction industries, is defined as one comprehensive insurance program purchased by the owner of a construction project for the workers compensation and general liability exposures of all the project participants (prime contractors, subcontractors and sub-subs, as well as for the owner). The OCIP itself takes advantage of volume discounts, providing the owner with cost savings. This DGS-sponsored bill authorizes the State of California to utilize wrap-up insurance programs under the same conditions that public agencies have been authorized.	679	Adds: Government Code Section 4420.8
AB 1897	(Alquist)	BC	Authorizes the court to require persons convicted of certain specified acts of vandalism to pay law enforcement costs associated with their arrests.	851	Amends, Repeals and Adds: Penal Code Section 594

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 1916	(Torlakson)	BC	Increases a current maximum assessment for certain Vehicle Code violations related to "driving under the influence" (DUI) violations from \$75 to \$100. This assessment is used by counties for developing, implementing, and operating alcohol and drug problem assessment programs.	656	<p>Amends: Health and Safety Code Section 11837; Vehicle Code Sections 1821, 23161, 23249.52, 23249.53, and 23249.55</p> <p>Repeals: Vehicle Code Sections 23249.57 and 23249.58</p> <p>Amends, Repeals and Adds: Vehicle Code Section 23249.54</p>
AB 1995	(Leach)	OPSC	<ul style="list-style-type: none"> Provides that a joint-use library facility at the Livermore Valley Joint Unified School District (LVJUSD) can be on a <u>site owned by the county, city, or other appropriate entity</u>. Provides that the LVJUSD may apply for state bond funds to fund the construction of that portion of the joint-library facility that meets the needs of the district. 	1034	Adds: Education Code Section 18104
AB 2042	(Goldsmith)	DSA/ORS, RESD/PM, and RESD/BPM	Authorizes a public entity to withhold funds held in escrow to comply with a stop notice and allows a public entity to withhold amounts necessary to cover its reasonable litigation costs.	111	Amends: Civil Code Section 3186

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 2067	(Cunneen)	PD	<p>Re-establishes a provision of law that sunset on January 1, 1997, which requires state agencies to purchase specified recycled petroleum and paint products if the state agency determines that fitness, quality, and price are equal to the nonrecycled product. More specifically, this bill would require state agencies to ensure that the purchase of the following specific products meet the following standards:</p> <ul style="list-style-type: none"> • “Recycled antifreeze’s and solvents” have a recycled content of at least 70 percent recycled materials; • “Recycled paint” contains at least 50 percent postconsumer paint and that preconsumer and secondary paints are not included in the amount of recycled content, and if paint containing 50 percent postconsumer content is unavailable, state agencies would be allowed to substitute paint with the maximum amount of postconsumer content, but not less than 10 percent postconsumer content. • “Re-refined motor oil” has a base oil content consisting of at least 70 percent re-refined oil. 	880	<p>Amends: Health and Safety Code Sections 25160, 25179.5, 25205.15, 25250.1, 25250.4, and 25250.7 ; Public Resources Code Sections 48620 and 71061</p> <p>Adds: Health and Safety Code Sections 25121.1, 25160.3, and 25200.19</p> <p>Adds and Repeals: Article 2.1 (commencing with section 12170) of Chapter 4 of Part 2 of Division 2 of the Public Contract Code</p>
AB 2084	(Miller)	RESO/PM, RESO/PS, and RESO/BPM	<p>Mandates that all contractors on a public work of improvement be held at the rate of retention stipulated in the construction contract between the general contractor and the administering agency. Further, the bill attempts to create equity among all contractors performing on public works as well as streamlining many processes for administering agencies.</p>	857	<p>Amends: Civil Code Section 3248; Public Contract Code Sections 3400, 7107, 10121, 10127, 10140, 10240.1, 10261, 10262, 10262.5, 10263, and 22300</p> <p>Adds: Public Contract Code Section 7200</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 2164	(Wayne)	OAH	<p>Provides for the following:</p> <ul style="list-style-type: none"> • The Code of Judicial Ethics will govern the conduct of administrative law judges (with the exception of seven canons that do not apply to ALJ's or are areas already covered by existing law). • The rules imposed by this new article will be referred to as the "Administrative Adjudication Code of Ethics". • Gift, honoraria and travel restrictions of the Political Reform Act will now apply to ALJs. • Workers' compensation referees will now be governed by the Code of Judicial Ethics rather than the 1992 Code of Judicial Conduct. 	95	<p>Adds: Article 16 (commencing with Section 11475) to Chapter 4.5 of Part 1 of Division 3 of Title 2 of the Government Code</p> <p>Amends: Labor Code Section 123.6</p>
AB 2179 (Assembly Legislative Ethics Committee)		OHR	Requires each state agency to offer an orientation course on the relevant ethics statutes and regulations that govern the conduct of state officials and require certain state officials to take such a class every two years.	364	Adds: Article 12 (commencing with Section 11146) to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code
AB 2275	(Kuykendall)	PD	Recasts provisions of the California Prompt Payment Act to require state agencies to pay properly submitted, undisputed invoices within 45 days or automatically calculate and pay penalties. In addition, the bill would specify that these provisions may not be waived, altered, or limited by a state agency, or a person or business contracting with the state, for contracts entered into on or after January 1, 1999.	916	<p>Adds: Chapter 4.5 (commencing with Section 927) to Part 3 of Division 3.6 of Title 1 of the Government Code</p> <p>Repeals: Government Code Sections 926.15, 926.17, and 926.18</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 2319	(Knox)	BC	<p>Grants an extension of the one-year filing limit after the date of the crime for filing an application with the VOC Program if :</p> <ol style="list-style-type: none"> 1. an indictment, information, or complaint alleging the facts of the case is filed after the expiration of the one year filing period, the application is filed within one year from the date of the filing of the indictment, information, or complaint and the prosecuting attorney recommends that the Board of Control (Board) find that the applicant cooperated with law enforcement and the prosecuting attorney in the apprehension and prosecution of the perpetrator. 2. The victim is called to testify in a criminal proceeding adjudicating the facts that gave rise to the application, and the application is filed within one year after the victim testified, and the prosecuting attorney recommends that the Board find that the applicant cooperated with law enforcement and the prosecuting attorney in the apprehension and prosecution of the perpetrator. 3. If an application is filed within one year from the time a formal written decision is made by the prosecuting attorney, not to prosecute and he or she states that the victim cooperated with law enforcement and the prosecuting attorney in the investigation and consideration of the crime for prosecution. 	447	Amends: Government Code Section 13961
AB 2329	(Firestone)	PD and TD	Exempts the Board of Governor's of the Community Colleges (BGCC) from the DGS' oversight when entering into contracts, and allows the BGCC to enter into contracts on behalf of community colleges.	1023	Amends: Education Code Section 70901; Public Contract Code Sections 10295, 10430, 12100.5, and 12120

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 2394	(Margett)	RESA/APE and RESA/PS	Transfers authority to negotiate, appraise, and perform other tasks related to the acquisition of state park properties from the DGS to the Department of Parks and Recreation (DPR). The DGS would have review authority over DPR's activities relative to real property acquisition	344	Amends: Government Code Sections 15853, 15860, 15862.5, and 15864; Public Resources Code Sections 5003.17, 5006, and 5080.16
AB 2405	(Leach)	OSBCR	Requires the small business advocate within the DGS and a small business advocate within each state agency, to promote small business participation in state contracts, as specified.	917	Adds: Article 1 (commencing with Section 14835) to and Article 2 (commencing with Section 14845) to Chapter 6.5 of Part 5.5 of Division 3 of Title 2 of the Government Code
AB 2459	(Campbell)	RESA/APE and RESA/PS	<ul style="list-style-type: none"> • Authorizes the Director of General Services to include a purchase option in any lease agreement with an initial option price over \$2 million in value. • Requires that a listing of these leases with options to purchase be included in an existing annual report to the Joint Legislative Budget Committee (JLBC) and the chairpersons of committees considering appropriations. In addition, it: <ol style="list-style-type: none"> 1. increases the existing annual rent threshold from \$24,000 to \$50,000 under which state agencies may lease property for storage, warehouse, or office space for up to three years, subject to delegated authority of the DGS. 2. increases the existing annual transaction threshold from \$50,000 to \$150,000 under which state agencies may acquire or convey state property, subject to delegated authority of DGS. 	597	Amends: Government Code Sections 11005.3 and 14669 Adds: Government Code Section 14667.1

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 2505	(Olberg)	PD and OSBCR	Establishes a clear, uniform definition of “small business” in statute for use in the state’s small business program. This definition is contemporary, and allows for updating as necessary, by regulation, to reflect the changing business environment.	821	Amends: Government Code Section 14837
AB 2627	(Brown)	DSA/ORS, RESD/PM, ORS, and RESD/BPM	Authorizes a contractor, if all amounts due to them are not paid within 35 days from the date payment is due, to file a “Ten-Day Stop Order” on private works of improvement. This would allow the contractor to stop all work if all amounts due are not paid within that ten days. Further, the measure indemnifies the contractor, any subcontractor, or their sureties, from any liability for damages to any party for stopping work pursuant to a “Ten-Day Stop Order.” The measure clarifies that this protection would be in addition to any other remedies available in the law. Additionally, the measure states it is against public policy to waive any provisions in a written contract for private works of improvement.	986	Adds: Civil Code Section 3260.2
AB 2696	(Cardoza)	OPSC	Under existing law, the State Relocatable Classroom Law of 1979 authorizes a school district or county superintendent of schools to purchase any portable classroom that is leased from the State Allocation Board (SAB) by a school district or county superintendent of schools on July 1, 1991, for an amount equal to the purchase price paid by the SAB, including certain purchase costs, less the amount of any rent already paid to the SAB by the district or county superintendent of schools for that classroom. This has been interpreted by the SAB to mean a portable was being leased on or before July 1, 1991.	848	Amends: Education Code Section 17089.2

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
AB 2756 (Assembly Agriculture Committee)		PD	<ul style="list-style-type: none"> Eliminates the \$15,000 annual purchasing delegation limit for District Agricultural Associations (DAAs). Requires the Division of Fairs and Expositions within the Department of Food and Agriculture to provide a report on the purchasing delegation program for DAAs to the Joint Committee on Fairs Allocation and Classification (JCFAC). 	535	Amends: Public Contract Code Section 10320
AB 2771 (Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee)		BC	Among other things, amends Section 912.8 of the Government Code to be consistent with Section 13909 of the Government Code with respect to what authority may be delegated by the State Board of Control to the executive officer or other employee.	872	Amends: Business and Professions Code Sections 5081.1 and 5084 ; Government Code Section 912.8 Adds: Business and Professions Code Section 5082.4 Repeals and Adds: Business and Professions Code Section 5082.3
AB 2775 (Assembly Budget Committee)		BC	This DGS-sponsored bill appropriates \$802,980.35 from various state funds to the State Board of Control (Board) for payment of claims approved by the Board. (Urgency Statute—effective August 17, 1998.)	304	No code sections added, amended or repealed
AB 2776 (Assembly Budget Committee)		BC	This DGS-sponsored bill appropriates <u>up to</u> \$333,040,706 from the General Fund to pay a single claim by the PERS for interest accrued when the state failed to pay employer contributions. (Urgency Statute—effective August 17, 1998.)	94	No code sections added, amended or repealed

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 10	(Johnston)	RES/PS	<p>Existing law requires school districts, as a condition of receiving state bond funds for air-conditioning, to implement a multi-track year round program. Districts that receive air-conditioning funding and do not implement a multi-track program are required to repay the amount allocated with interest to the State School Building Fund.</p> <p>This measure provides, upon a finding that there is a hardship due to declining enrollment or no growth, the State Allocation Board with the authority to waive the repayment requirement for Amador County Unified School District. The bill is only applicable to Amador County Unified School District. (Urgency Statute—effective March 2, 1998.)</p>	3	Adds and Repeals: Education Code Section 42250.2

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 50	(Greene)	OPSC	<p>Provides for the submission to the voters of the Class Size Kindergarten-University Public Education Facilities Bond Act of 1998 at the November 3, 1998, statewide election. The bill is a comprehensive school facilities bill that includes a bond, state program reform, and reform of developer fees for school construction. The major elements of the bill include:</p> <ul style="list-style-type: none"> • Places a \$9.2 billion K-12 & Higher Education General Obligation Bond on the November 3, 1998 ballot.----Provides \$10.1 billion for K-12 (\$6.7 billion in state bonds, \$3.4 billion in local match) and \$2.5 billion for higher education. • One vote authorizes funds for four years. • Replaces the existing, complex system of financing school facilities projects with a new system based on fixed per pupil grants with mandatory local matching funds. • Provides strong incentives for school facilities cost containment. • Establishes statewide standards for developer fees consistent with state facilities program. <p>(Urgency Statute—effective August 27, 1998.)</p>	407	<p>Amends: Education Code Sections 17260, 17262, 17303, 17305, 17306, and 17620; Elections Code Section 1003; Government Code Sections 65995 and 65996</p> <p>Adds: Education Code Sections 17009.3, 17009.5, 81134, 81135, and 81136; Chapter 12.5 (commencing with Section 17070.10) to Part 10; Part 68 (commencing with Section 100400); Government Code Sections 4420.5, 65995.5, 65995.6, 65995.7, 65997, and 65998</p> <p>Repeals: Education Code Section 15101</p> <p>Repeals and Adds: Education Code Section 17261</p> <p>Adds and Repeals: Chapter 9 (commencing with Section 51450) to Division 31 of the Health and Safety Code</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 143	(Kopp)	IT	Makes various changes to the California Public Records Act (Act) including establishing an index of public records within the Act itself that are exempt from disclosure under current law that are contained in various other codes.	620	<p>Amends: Government Code Section 6252</p> <p>Amends and Renumbers: Government Code Section 6253</p> <p>Adds: Government Code Sections 6252.5 and 6253; Article 1 (commencing with Section 6250) to Chapter 3.5 of the Government Code; Article 2 (commencing with Section 6275) to Chapter 3.5 of Division 7 of Title 1 of the Government Code</p> <p>Repeals: Government Code Sections 6253.1, 6256, 6256.1, 6256.2, and 6257</p>
SB 491	(Brulte)	RES/PS and RESD/APE	<p>Authorizes the Director of General Services, with the approval of the California Department of Corrections (CDC), to exchange, sell, or lease up to 290 acres of CDC land at the California Institution for Men (CIM) to the City of Chino for specified uses. The Department of General Services (DGS) is required to complete Phase 1 of the Master Land Use Plan (MLUP) relative to CIM, by August 1, 1999, and consult with the City of Chino regarding aspects of the study pertaining to public uses of CIM land.</p> <p>This measure also includes authorization of CDC to operate additional programs that assist inmates in</p>	500	<p>Adds: Government Code Section 14672.14; Penal Code Sections 3054 and 6259</p> <p>Amends: Welfare and Institutions Code Section 749.22</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 776 (Johannessen)		RES/PM and RES/PS	Permits the Director of the DGS when authorized by the Legislature, to use the "design-build" construction procurement process outlined in the bill for the procurement of state office facilities and other buildings.	252	Adds: Government Code Sections 13332.19 and 14661
SB 831	(Karnette)	RES/PM	Authorizes the DGS to provide off-site child care facilities if the director determines that: 1) it is more cost effective for the state to provide equivalent child care facilities within a reasonable distance of the place of employment, or 2) locating the child care facility within a reasonable distance offsite would provide for an enhanced facility for the children or would mitigate security concerns. Additionally, this bill authorizes the director of DGS to charge a lower rent if it is determined that a lower rent would ensure the viability of a child care facility.	413	Amends: Government Code Section 4560
SB 1173 (Vasconcellos)		RES/PS	Provides limited immunity from liability for solutions to the year 2000 computer date failures ("Y2K") disseminated in good faith. (Urgency Statute—effective September 25, 1998.)	860	Adds: Title 17 (commencing with Section 3269) to Part 4 of Division 3 of the Civil Code
SB 1311	(Lockyer)	BC	Requires that the \$26 million loan from the Restitution Fund to the General Fund, authorized in the Budget Act of 1997, be repaid no later than April 1, 1998. (Urgency Statute—effective March 2, 1998.)	5	No code sections added, amended, or repealed
SB 1367	(Wright)	RES/PS	Requires the DGS to transfer to the County of Ventura, upon the approval of the County Board of Supervisors, the approximately 57-acre noncontiguous parcel of the Camarillo State Hospital property located on Lewis Road in Ventura County. (Urgency Statute—effective August 24, 1998.)	393	Adds: Government Code Section 11011.25

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 1436	(Thompson)	RES/PS	<p>Among other things, allows, with the approval of the Secretary of Food and Agriculture, a nonprofit organization to hold an annual fair in lieu of the annual fair held by the 25th DAA. The Director of General Services would be permitted to lease the Napa Valley Exposition to a nonprofit organization for a price below market value for a period of 99 years or less. The 25th DAA would have neither powers nor duties during that period, and employees of the 25th DAA would be allowed to decide whether they wanted to continue to work for the State of California, or accept a position as an employee of the nonprofit organization. The nonprofit organization may elect to become a member of the Network of California Fairs, according to terms agreeable to both the organization and the Department of Food and Agriculture.</p> <p>(Urgency Statute—August 4, 1998.)</p>	259	<p>Amends: Business and Professions Code Section 19418; Public Resources Code Section 5782.27; Water Code Section 55310.2</p> <p>Adds: Food and Agricultural Code Section 4163; Health and Safety Code Section 116556</p>
SB 1466	(Polanco)	ORIM	<p>Under existing law, an Owner Controlled Insurance Program (OCIP), also known as a wrap-up policy, is a comprehensive insurance policy purchased by the owner of a construction project for the workers compensation and general liability exposures of all the project participants (prime contractors, subcontractors and sub-subs, as well as for the owner).</p> <p>This bill authorizes school districts to utilize wrap-up insurance on any construction or renovation project undertaken by that district, under specified conditions.</p>	849	Adds: Government Code Section 4420.5
SB 1517 (Senate Appropriations Committee)		BC	<p>This DGS-sponsored bill appropriates \$2,216,863.41 from various state funds to the State Board of Control (Board) for payment of claims approved by the Board.</p> <p>(Urgency Statute—effective September 29, 1998.)</p>	955	No code sections added, amended, or repealed

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 1518 (Senate Appropriations Committee)		BC	<p>Appropriates \$3,680,929.16 million from the General Fund (GF) to the Attorney General (AG) to pay three specified judgements/settlements against the state. (Urgency Statute—effective September 29, 1998.)</p> <p>The bill includes an appropriation of \$2.7 million to pay a settlement agreement between Keller Construction Co., Ltd. and the DGS regarding the construction of the California Science Center Museum Facility. The agreement settles all claims which totaled \$7.5 million brought by the construction company against the DGS. The DGS sponsored the inclusion of this settlement in the bill.</p>	956	No code sections added, amended, or repealed
SB 1589 (Senate Budget and Fiscal Review Committee)		TB	Makes the statutory changes necessary for implementation of the Budget Act of 1998 relative to state government administration. (Urgency Statute—effective August 21, 1998.)	328	<p>Amends: Business and Professions Code Section 25761; Government Code Sections 4217.11, 4217.12, 4217.13, 4217.16, 4217.17, 14669.35, 15333.3, and 15333.4; Public Utilities Code Section 363; Section 4 of Chapter 913 of the Statutes of 1995</p> <p>Adds: Corporations Code Section 25608.2; Government Code Section 7591.5</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 1608	(Ayala)	BC	<p>Under existing law, Penal Code (PC) Section 1202.4 provides that a restitution order, which is direct restitution to a victim, is enforceable as a civil judgment pursuant to PC Section 1214. PC Section 1214 provides that 1) a victim can request a certified copy of a restitution order, 2) the restitution order is enforceable as a civil judgment and this enforcement ability remains in effect once probation is terminated, 3) a victim has access to all resources available under the law to enforce the restitution order including access to the defendant's financial records, wage garnishment, and lien procedures, and 4) a restitution order has an infinite life instead of a ten-year life.</p> <p><u>This bill deletes the reference in PC Section 1202.4 to PC Section 1214 regarding the manner in which a restitution order may be enforced as a civil judgment by a victim. However, PC Section 1214 would still apply as it specifically addresses the enforcement of restitution orders as civil judgments.</u></p>	201	Amends: Penal Code Sections 1202.4 and 1203.1
SB 1641	(Burton)	RES/PS and RESD/APE	<ul style="list-style-type: none"> Repeals Section 5006.8 of the Public Resources Code, which requires the Department of Parks and Recreation (DPR) to retain Candlestick Point in perpetuity, as a unit of the state park system. Requires the Director of DPR and the State Lands Commission to enter into agreements with the City of San Francisco, which the director and the commission deem to be in the best interest of the state, to allow for completion of a new football stadium and shopping complex on state land. 	1046	Repeals and Adds: Public Resources Code Section 5006.8

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 1645	(Mountjoy)	RES/PS	This DGS-sponsored bill is the annual surplus property bill.	731	<p>Amends: Government Code Section 14664 ; Section 2 of Chapter 625 of the Statutes of 1991 ; Section 1 of Chapter 648 of the Statutes of 1992; Section 1 of Chapter 317 of the Statutes of 1993; and Section 1 of Chapter 391 of the Statutes of 1994</p> <p>Adds: Government Code Section 14615.1; Article 6.5 (commencing with Section 10389.1) to Chapter 2 of Part 2 of Division 2 of the Public Contract Code</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 1649 (Senate Local Government Committee)		RES/PS	<p>Existing law allows the DGS, with the consent of the State Department of Mental Health, to enter into a long-term lease with Napa County for designated property with the boundaries of Napa State Hospital for purposes of a pilot program for a 15 bed locked community care facility. The terms and conditions of the lease are determined by the DGS subject to the approval of the Public Works Board (PWB).</p> <p>Among other things, this measure requires that the lease be for purposes of establishing an independent living facility for persons who are mentally ill, who are handicapped, or who have low income. The bill also deletes the requirement that the terms and conditions of the lease be subject to approval of the PWB.</p> <p>Existing law, Sections 1600 and 12113.5 of the Public Contract Code, grants state agencies authority to pay contracts by way of electronic transmission.</p> <p>This bill extends that same authority to counties and a city and county, but would have no effect on the state's existing authority to pay by means of electronic transfer.</p>	876	<p>Amends: Government Code Sections 1481, 5956.3, 6505, 14670.15, 24352, 25332, 25537, 29065.5, 53750, 54954.5, and 61601.25; Harbors and Navigation Code Section 6840; Health and Safety Code Section 40002; Public Contract Code Sections 1600 and 21061; Public Resources Code Sections 5540.5 and 6217 ; Revenue and Taxation Code Section 95.31; Streets and Highways Code Sections 8320, 8322, 8323, and 8324; Vehicle Code Section 21101; Section 1 of Chapter 213 of the Statutes of 1907</p> <p>Repeals: Government Code Section 17580; Harbors and Navigation Code Sections 6831 and 6842</p> <p>Adds: Harbors and Navigation Code Section 6835.1; Health and Safety Code Sections 39014.3 and 39014.5</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 1768	(Kopp)	BC	<ul style="list-style-type: none"> Requires defendants to submit financial disclosure statements to the court no later than the date of their sentencing. Additionally, a victim that is owed restitution may, once each calendar year, request and receive current financial information from the defendant. These two provisions would become operative on January 1, 2000, unless a majority of judges of a court apply to the Judicial Council for an extension which cannot exceed beyond January 1, 2002. Provides for specific guidelines for the State Board of Control to transfer money collected for restitution orders by the California Department of Corrections to the appropriate victim. Adds "inmates" to current law that would: 1) prohibit inmates and parolees from being released on parole to reside in another state if they have outstanding restitution fines or orders; 2) provide that an exception may be granted if the inmate or parolee posts a bond in the amount of the restitution order; and 3) allow inmates and parolees to petition for a waiver of the prohibition to leave the state. This bill also clarifies that the waiver applies only to the requirement that all restitution obligations be paid and does not waive the restitution obligations. 	587	<p>Amends Repeals, and Adds: Code of Civil Procedure Section 2033.5; Penal Code Sections 987, 1202.4, and 1214</p> <p>Amends: Penal Code Sections 2085.5 and 11177.2</p>
SB 1934	(Johnston)	RES/PS	<p>Authorizes the Director of the DGS to acquire property and procure office space, with parking facilities, within Sacramento County or the City of West Sacramento, for consolidation of California Department of Corrections (CDC) office space. The measure contains legislative oversight protections and authorizes funding mechanisms if specified conditions</p>	782	Adds: Government Code Section 14669.20

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 2021	(Schiff)	BC	<p>This DGS-sponsored bill provides for a four-year pilot program for the State Board of Control (Board), with assistance from the Judicial Council, to collaborate with judges to amend restitution orders for victims that have filed a claim with the Victims of Crime (VOC) Program to reflect the amount of VOC Program benefits that have been paid to the victim.</p> <p>This bill also:</p> <ul style="list-style-type: none"> • amends Welfare and Institutions Code Section 730.6 to: 1) include the Board's subrogation rights to victims' restitution orders to the extent the victim has received payments from the VOC Program; 2) allow victims of juvenile offenders to use the same resources available to victims of adult offenders for the collection of restitution orders; 3) provide that restitution fines imposed on juveniles are enforceable as a civil judgment; 4) provide that restitution fines and orders imposed on juveniles have an infinite life; and 5) specify that any settlement recovered from a minor's parent or guardian must be credited against any restitution owed by the minor to prevent the victim from being paid twice for the same losses (from the settlement and from the restitution order). • clarifies that the Board's lien rights are for any judgment, award, or settlement recovery made by or on behalf of a victim who has received benefits from the VOC Program are for any type of recovery not just "damages for injuries." (Urgency Statute—effective September 14, 1998.) 	451	<p>Amends: Government Code Section 13966.01; Welfare and Institutions Code Sections 730.6 and 730.7</p> <p>Adds: Penal Code Section 1202.41</p>

BILL	AUTHOR	OFFICE	SUMMARY	CHAPTER	CODE SECTION AFFECTED
SB 2045	(Greene)	OPSC	<p>Existing law provides an alternative method for a district to obtain first priority status under the State School Building Lease-Purchase Program (SSBLPP) if, rather than 50/50 funding, the district instead: a) bonds itself to 95 percent of its legal debt capacity, and b) agrees to contribute all the unexpended funds from local bonds, Mello-Roos bonds and developer fees to the project.</p> <p>This bill modifies the second half of this requirement and allows qualified school districts to keep developer fees used for interim housing or other facility needs, or provide no developer fees if the district's Average Daily Attendance (ADA) is less than 2500. It also allows such districts to keep 50 percent of unencumbered bonds.</p>	957	Amends: Education Code Section 17017.9
SB 2186	(Knight)	RES/PS and RESD/APE	Requires a portion of the revenue generated by the golf course on the grounds of the Veterans Home of California, Yountville, to be appropriated by the Legislature for use by the administrator for special projects that provide a direct benefit to the members of the Veteran's Home of California, Yountville.	1071	Adds: Military and Veterans Code Section 1023.5
SB 2202	(Haynes)	BC	<p>Under current law (Government Code Section 13961.1), emergency awards are available to a victim or a derivative victim for loss of income or support, emergency medical expenses and other losses incurred as a direct result of a crime, or that may be reasonably anticipated during the first 90 days after the initial filing of an emergency application. The amount of the emergency award cannot exceed \$2,000.</p> <p>This DGS-sponsored bill specifically adds funeral and</p>	557	Amends: Government Code Section 13961.1

LEGISLATIVE SUMMARY OF BILLS VETOED IN 1998

BILL	AUTHOR	SUMMARY
AB 750	(Brewer)	Permits a public agency to enter into a contract for public works that was competitively bid when a bid protest is made, pending a final decision on the protest, subject to the requirements of this bill. Also provides that if the contract is later determined to be invalid due to a defect or defects in the competitive bidding process, the contractor who performed work under the contract be entitled to be paid reasonable costs, specifically excluding profit. However, in no event shall payment to the contractor exceed the amount of the contract less profit at the point in time the contract is determined to be invalid.
AB 1070	(Campbell)	Prohibits a public agency from requiring a design professional (architect, engineer, or land surveyor) to defend, indemnify, or hold harmless a public agency, or its employees in any claim, action, or proceeding arising from acts that are not the result of the negligence of the design professional.
AB 1136	(Wildman)	<p>Requires each public entity (affects all local and state agencies except the University of California and California State University) granted authority to use design-build for public works projects authorized by the Legislature or any other responsible body to prepare and deliver a specified report to the Joint Legislative Audit Committee. More specifically, the report requires the following information:</p> <ul style="list-style-type: none"> • The type of facility. • Gross square footage. • The name of the contractor/company. • The estimated and actual length of time for completion. • The estimated and actual project costs. • A description of the relative merits of design/build process compared with the typical design/build-bid process. • A description of any written protest concerning the solicitation, bid, proposal, or award. <p>Any other pertinent information related to the project that may be instructive in evaluating whether the design/build method should be continued, expanded, or prohibited.</p>

BILL	AUTHOR	SUMMARY
AB 1155	(Kuehl)	<p>Requires the State Controller to determine whether acceptance of the deed of trust on 160 acres of real property located in Malibu will satisfy the estate taxes and interest due on the Frank Capra estate. If the Controller makes this determination, then the Department of General Services (DGS) shall accept the deed on behalf of the Controller, and transfer it to the Department of Parks and Recreation (DPR). If the Controller determines that acceptance of the deed will not fully satisfy the amount of taxes and interest owed on the Capra estate, then the Legislature finds and declares that acceptance of the deed serves a public purpose because it will allow the completion of the Backbone Trail of the Santa Monica Mountains, and the DGS may accept the deed on behalf of the Controller in lieu of any estate taxes and interest due on the Capra estate. The property shall be transferred to the DPR.</p>
AB 1345	(Alquist)	<p>Among other things, the bill requires the Department of Information Technology (DOIT) to compile a list of contractors who failed to respond to state agency requests for year 2000 compliance information on a monthly basis until April 1, 2000, and periodically thereafter at the DOIT's discretion. In addition, the bill:</p> <ul style="list-style-type: none"> • Allows the Department of General Services (DGS) to determine the eligibility of any contractor on the list maintained by DOIT for purposes of determining whether or not they meet the requirements of a responsible bidder under the State Contract Act. • Requires all of the state's contractors to certify that the information provided is true and correct and that knowingly providing false information is a misdemeanor, punishable by not more than one year in jail, or \$5,000, or both. <p>The bill would sunset these provisions on January 1, 2001.</p>
AB 1630	(Sweeney)	<p>Among other things, the bill:</p> <ul style="list-style-type: none"> • requires every state agency to report the name and social security number of: 1) each contractor and subcontractor of a contractor who contracts with the state agency; and 2) each state loan or grant recipient, to the Employment Development Department for purposes of including the contractor in the state's new employee registry created for the enforcement of family and child support payments. • requires the Department of General Services, in cooperation with all other state agencies, to adopt regulations by July 1, 1999, that define all parties who benefit financially from state loans and grants for purposes of including them in the new employee registry used for collection of child support.

BILL	AUTHOR	SUMMARY
AB 1664	(Murray)	Establishes a new state contract participation goals program for small and disabled veteran business enterprises that closely mirror the former participation goals for minority and women, and the existing participation goals for disabled veteran business enterprises (M/W/DVBE). Although identical in its administrative provisions, the bill proposes a participation goal of 30 percent for small businesses that is different from the former participation goals of 15 percent for minority business enterprises and five percent for women business enterprises. Also duplicates existing participation goals for disabled veterans business enterprises with an identical goal of three percent. The bill would not repeal the statutes related to the former M/WBE program, or the existing DVBE program.
AB 1687	(Lempert)	Commencing May 4, 1998, and contingent upon passage of Leroy F. Greene Act of 1998 (SB 50) at the November 1998 election, the bill prohibits the Department of General Services (DGS) from approving plans for the construction or modernization of a school building funded pursuant to the Leroy F. Greene Act of 1998 unless the school building will contain an automatic fire alarm and detection system. Also allows automatic fire detection and alarm systems to be funded by bond proceeds from the Leroy F. Greene Act of 1998 requires the State Fire Marshal to propose, and the State Building Standards Commission to adopt, amend, or repeal, regulations regarding the bill's requirement to install automatic fire protection systems in public schools funded pursuant to the Leroy F. Greene Act of 1998.
AB 1992 (Strom-Martin)		<ul style="list-style-type: none"> • Requires any school district that applies for funding from the state pursuant to the Leroy F. Greene State School Building Lease-Purchase Law of 1976 beginning January 1, 1999, to include plans for a hard-wired connection to a public switched network in its plans and specifications for the construction or fabrication of new classrooms. • Provides that districts may meet this requirement by utilizing wireless technology equivalent to a hard-wired connection to a public switched network. • Requires that by January 1, 1999, all plans and specifications for portable classrooms funded under the State Relocatable Classroom Program (SRCP) include a hard-wired connection to a public switched network.
AB 2280	(Papan)	Requires an owner on private construction projects over \$1 million to do one of the following: (a) provide the original contractor a "payment bond" equal to 50 percent of the amount of the contract to pay for undisputed work; (b) provide security by means of an "irrevocable letter of credit" equal to not less than 15 percent of the contract amount payable to the original

BILL	AUTHOR	SUMMARY
AB 2432	(Bowen)	Requires, relative to state buildings, when construction or renovation begins on or after January 1, 2000, that a level of energy efficiency that is higher than the existing building code and green building measures, as defined, be utilized when feasible and cost effective.
AB 2534	(Margett)	Mandates that all contractors, on any work of improvement, be held at the initial rate of retention stipulated in the construction contract between the general contractor and the owner on both public and private works of improvement. The bill's provisions shall apply to all contracts entered into on or after January 1, 1999.
AB 2564	(Wildman)	Requires state and local public agencies who are selling surplus land to a school district to sell the land at a price that does not exceed its acquisition cost, adjusted for inflation and any improvements made to the land. However, the bill provides that in no event shall the purchase price of the land be less than 25 percent of the fair market value of the property, or less than the amount of local bonded indebtedness on the property.
AB 2636	(Alquist)	<p>Requires the State Allocation Board (SAB) to establish pilot projects in four applicant school districts to demonstrate new approaches to cost containment in the construction of school facilities. A second pilot program would be established in up to two county offices of education to demonstrate approaches to reduce costs of school construction and modernization. More specifically, the bill provides that:</p> <ul style="list-style-type: none"> • at least two of the four school-district projects shall include joint use facilities with separate sites. The bill expresses the intent of the Legislature that a preference shall be given to proposals that have between 500 and 800 pupils at any individual site. • the SAB allocate 50 percent of the costs of the project or a greater amount if that amount would otherwise have been allocated to an approved project or projects in the school district under provisions of law generally applicable to state funding of school facilities • the Legislative Analyst conduct an assessment to determine the cost savings of the pilot program and report to the Legislature, the Governor, the Superintendent of Public Instruction, the State Board of Education, the SAB, and the State Architect by March 1, 2003.

The bill shall not become operative unless a statewide school facilities bond measure for K-12 is authorized on the November 3, 1998 ballot

BILL	AUTHOR	SUMMARY
AB 2643	(Lempert)	<ul style="list-style-type: none"> • Makes a number of legislative findings about the need for increased funding for deferred maintenance of school buildings. • Allows revenue from the leasing of state-owned portable classrooms to be deposited in the State School Building Aid Fund for the purpose of deferred maintenance and not be applied towards the Proposition 98 funding guarantee. These funds would not be included in the calculation of the Proposition 98 guarantee. • Provides that the State Allocation Board (SAB) may set aside up to 10 percent of the Deferred Maintenance Fund for districts that have a disproportionately high percentage of school facilities that are over 30 years old, or will use the fund for purposes of increasing the health and safety of campuses.
AB 2739	(Mazzoni)	<ul style="list-style-type: none"> • Defines the term “responsible bidder” for the state and local public entities. • Requires the Department of Industrial Relations, in collaboration with affected agencies and interested parties, to develop model guidelines for rating bidders and draft a specified standardized questionnaire for rating bidders. • Authorizes local public entities to require prospective bidders to complete a standardized questionnaire and financial statement for the purposes of prequalification. • Requires that local public entities adopt an appeal process as part of their prequalification.
SB 412	(Peace)	Makes the conflict of interest provisions that currently apply to goods and services applicable to electronic data processing and telecommunications goods or services.
SB 648	(Burton)	<ul style="list-style-type: none"> • Requires the Department of Finance (DOF) to conduct a cost benefit analysis of using private sector companies vs. public sector employees for any service or function not currently being provided by private sector employees. • Prohibits any contractor convicted of illegally withdrawing required wages from its employees from bidding on a state contract. • Requires all private sector firms bidding on a state contract to provide health insurance for their employees and include the cost of health care in its contract bid.
SB 988	(Sher)	<ul style="list-style-type: none"> • Requires every state officer and employee to encourage the purchase of recycled oil products that are represented as substantially equivalent to products made from new oil. • Makes various changes to California Integrated Waste Management Act, including, but not

BILL	AUTHOR	SUMMARY
SB 1735	(Polanco)	<ul style="list-style-type: none"> • Declares the Legislature's finding that the California Constitution's prohibition against discrimination and preferential treatment to an individual or group does not prevent government agencies from engaging in public sector outreach programs in employment and education that include focused outreach and the recruitment of minority groups and women if they are underrepresented in entry level positions in the public sector or at an educational institution. • Prescribes a method for determining "underrepresentation" and expresses legislative intent that the outreach policy in this bill allow public sector employers and educational institutions to conduct outreach efforts.
SB 1751	(Calderon)	<ul style="list-style-type: none"> • Establishes the School Safety Act of 1998 and states legislative findings that students have the right to safe schools and that it is appropriate to provide safety equipment and devices to eliminate guns, weapons, gangs drugs, and other threats to pupils and staff. • Codifies language that encourages the State Allocation Board (SAB) to adjust construction cost standards that reflect the cost of school safety devices. • Encourages the SAB, with input from the Attorney General, the Department of Justice, the State Department of Education, and local educational and law enforcement agencies to identify schools in need of school security equipment.